

09/30/03  
14230 U.S. PTO

Frederick P. Fish  
1855-1930

W.K. Richardson  
1859-1951

# FISH & RICHARDSON P.C.

September 30, 2003

225 Franklin Street  
Boston, Massachusetts  
02110-2804

Telephone  
617 542-5070

Facsimile  
617 542-8906

Web Site  
www.fr.com

22154 U.S. PTO  
10/675512  
09/30/03

Attorney Docket No.: 08935-284001

## Mail Stop Patent Application

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Presented for filing is a new original patent application of:

Applicant: FRED J. BERKOWITZ, BRYAN HESSE AND JAROSLAV JANIK

Title: BATTERIES

Enclosed are the following papers, including those required to receive a filing date under 37 CFR §1.53(b):

	<u>Pages</u>
Specification	8
Claims	7
Abstract	1
Declaration	[To be Filed at a Later Date]
Drawing(s)	10

### Enclosures:

- Request and Certification Under 35 U.S.C. § 122(b)(2)(B)(i).
- Postcard.

Basic filing fee	\$750
Total claims in excess of 20 times \$18	\$432
Independent claims in excess of 3 times \$84	\$504
Fee for multiple dependent claims	\$0
Total filing fee:	\$1686

A check for the filing fee is enclosed. Please apply any other required fees or any credits to deposit account 06-1050, referencing the attorney docket number shown above.

If this application is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at (617) 542-5070.

### CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EL 983 024 829 US

September 30, 2003  
Date of Deposit

**FR**  
BOSTON  
DALLAS  
DELAWARE  
NEW YORK  
SAN DIEGO  
SILICON VALLEY  
TWIN CITIES  
WASHINGTON, DC

FISH & RICHARDSON P.C.

Commissioner for Patents  
September 30, 2003  
Page 2

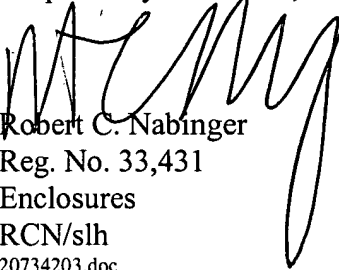
Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please direct all correspondence to the following:

26161

PTO Customer Number

Respectfully submitted,



Robert C. Nabinger  
Reg. No. 33,431  
Enclosures  
RCN/slh  
20734203.doc

**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor Fred J. Berkowitz et al.

Title Batteries

Atty Docket Number 08935-284001

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

September 30, 2003

Date

  
Signature

Robert C. Nabinger

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**